

# **EXHIBIT 34**

**From:** Hicks, Don [CPCUS]  
**To:** Canal, Jesus Randy [JNJPH]  
**CC:** Berba, Ma. Luisa M. [JNJPH]; McCarthy, Timothy [CPCUS]; Mathew, Noble [CONGB]  
**Sent:** 12/8/2010 3:12:52 PM  
**Subject:** FW: Chromium OOS of Guiguang talc - Safety Acceptable Level  
**Attachments:** dust exposure assessment 08Mar2010.pdf; RE: Chromium OOS of Guiguang talc - Safety Acceptable Level

Randy,

Here is the original chrome tox. Analysis done by Tim McCarthy. Also attached is Tim's input from last night. It is critical that you both align on a number, using appropriate safety margins.

Donald L. Hicks  
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From: Hicks, Don [CPCUS]  
Sent: Tuesday, December 07, 2010 12:48 PM  
To: McCarthy, Timothy [CPCUS]  
Cc: Lee, Curtis [CPCUS]; Zhu, Joan [QTA] [CONCN]; Casalsvieri, Joan [CPCUS]  
Subject: FW: Chromium OOS of Guiguang talc - Safety Acceptable Level  
Importance: High

Hi Tim,

AP has a bit of a situation and they need your help. At present they are out of production for Johnson's Baby Powder due an OOS result for Chromium on a talc ore lot from Guilin. As you can see below, this new lot is at about 1 PPM. Unfortunately, some of the lot was milled and used for JBP finished goods prior to the testing being completed. It is also believed that some of the finished goods are now in the market.

The first pathway is to determine if this is a lab issue. Samples will be sent to R. Lee for testing.

However, for now, let us assume that it is real data that cannot be negated. As part of the proposed 2010 revision to the harmonized global talc specification, we had been considering a change to the chromium level requirement based on work that you did earlier in the year. (Attached). The recommendation then was 7 PPM. This was based off of the California Prop 65 requirement, and assumed that 100% of the Chromium found was Chrome 6.

As you know, chromium is not a requirement in any regional standard. However California Prop 65 addresses it for dust. Joan also indicates below that EPA also has a dust requirement of 5 ug/M3.

So...here are the key questions...

1. Of the EPA and Prop 65 requirements, which is more stringent?
2. Is your original recommendation of 7 PPM spec. for total chromium in talc powder still the recommendation of Tox?
3. Are there any other global legal requirements for chrome in talc that have emerged during the past year?

We'll really need your urgent assistance on this one.

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From: Zhu, Joan [QTA] [CONCN]  
To: Berba, Ma. Luisa M. [JNJPH]; Shamsiah, Wan [CONMY]  
Sent: Tue Dec 07 15:11:25 2010  
Subject: 答复: Re: OOS of guiguang talc-Urgent!

Dear both,

The retest in China confirmed Chromium OOS result for both ore lot # GJ20100925 (0.88ppm vs. 0.5ppm in GS) and talc powder batch # 45E1010130 (0.83ppm) made of the issue ore lot. Fortunately, JJC hasn't use of this talc powder batch and it's now blocked. We also test other 3 batches of talc powder available in inventory and all their results are pass (xxx, xxx and xxx).

I did some research work on regulation and industry standards on Chromium, i.e. USP, BP, EP, CP, while waiting for retest. It can be confirmed that there is non regulation requirement on Chromium. For China GB, there is requirement on heavy method (count as of Pd) and the requirement is NMT 30 ppm for Pharma grade (not requirement for Cosmetic grade). OSHA (Occupational Safety & Health Administration, one unit of Department of Labor of Unite State) issued one guidance for Hexavalent chromium protection, the OSHA PEL for airborne exposures to hexavalent chromium is 5 µg/m<sup>3</sup> (0.005 mg/m<sup>3</sup>) (equal to 5 ppm). Details pl refer to below.

I suggest we've a urgent call with Don/Curtis, the global QA/TA leader on GS (may be include MA) tomorrow morning or night to understand more on our requirement for Chromium. Frankly, I have no idea how we come up with 0.5ppm as the standards. Pls let me know your comments.

In mine the Chromium exists mainly as Hexavalent chromium and Chromium trioxide. Hexavalent chromium is the most toxic compound among all of chromium oxide and OSHA (Occupational Safety & Health Administration, one unit of Department of Labor of Unite State) specifically issued one guidance for Hexavalent chromium protection. Details pls. refer to attached. In the U.S., the OSHA PEL for airborne exposures to hexavalent chromium is 5 µg/m<sup>3</sup> (0.005 mg/m<sup>3</sup>)

I paste the part of toxicity from Wikipedia here:

#### Precautions

Main article: Chromium toxicity

Water insoluble chromium(III) compounds and chromium metal are not considered a health hazard, while the toxicity and carcinogenic properties of chromium(VI) have been known for a long time.[50]

Because of the specific transport mechanisms, only limited amounts of chromium(III) enter the cells. Several in vitro studies indicated that high concentrations of chromium(III) in the cell can lead to DNA damage.[51] Acute oral toxicity ranges between 1500 and 3300 µg/kg.[52] The proposed beneficial effects of chromium(III) and the use as dietary supplements yielded some controversial results, but recent reviews suggest that moderate uptake of chromium(III) through dietary supplements poses no risk.[51]

The acute oral toxicity for chromium(VI) ranges between 50 and 150 µg/kg.[52] In the body, chromium(VI) is reduced by several mechanisms to chromium(III) already in the blood before it enters the cells. The chromium(III) is excreted from the body, whereas the chromate ion is transferred into the cell by a transport mechanism, by which also sulfate and phosphate ions enter the cell. The acute toxicity of chromium(VI) is due to its strong oxidational properties. After it reaches the blood stream, it damages the kidneys, the liver and blood cells through oxidation reactions. Hemolysis, renal and liver failure are the results of these damages. Aggressive dialysis can improve the situation.[53]

The carcinogenicity of chromate dust is known for a long time, and in 1890 the first publication described the elevated cancer risk of workers in a chromate dye company.[54][55] Three mechanisms have been proposed to describe the genotoxicity of chromium(VI). The first mechanism includes highly reactive hydroxyl radicals and other reactive radicals which are by products of the reduction of chromium(VI) to chromium(III). The second process includes the direct binding of chromium(V), produced by reduction in the cell, and chromium(IV) compounds to the DNA. The last mechanism attributed the genotoxicity to the binding to the DNA of the end product of the chromium(III) reduction.[56]

Chromium salts (chromates) are also the cause of allergic reactions in some people. Chromates are often used to manufacture, amongst other things, leather products, paints, cement, mortar and anti-corrosives. Contact with products containing chromates can lead to allergic contact dermatitis and irritant dermatitis, resulting in ulceration of the skin, sometimes referred to as "chrome ulcers". This condition is often found in workers that have been exposed to strong chromate solutions in electroplating, tanning and chrome-producing manufacturers.[57][58]

#### Environmental issues

As chromium compounds were used in dyes and paints and the tanning of leather, these compounds are often found in soil and groundwater at abandoned industrial sites, now needing environmental cleanup and remediation per the treatment of brownfield land. Primer paint containing hexavalent chromium is still widely used for aerospace and automobile refinishing applications.[59]

You can click the website of Wikipedia for more:

[http://en.wikipedia.org/wiki/Hexavalent\\_chromium](http://en.wikipedia.org/wiki/Hexavalent_chromium)

and <http://en.wikipedia.org/wiki/Chromium>

Some articles mentioned in the website related to the toxicity research can only available by payment.

Thanks & Regards,

Joan Zhu

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